

Message Text

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ACTION SS-20

INFO OCT-01 ARA-16 EUR-25 ISO-00 EB-11 CIAE-00 INR-10

NSAE-00 RSC-01 L-03 SCI-06 SSO-00 INRE-00 SPC-03

DRC-01 /097 W

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O R 181250Z FEB 74 ZFF 4

FM AMEMBASSY BONN

TO SECSTATE WASHDC NIACT IMMEDIATE 0496

INFO AMEMBASSY MEXICO CITY

LIMITED OFFICIAL USE SECTION 01 OF 02 BONN 02627

E.O. 11652: N/A

TAGS: TGEN, GW, MX

SUBJECT: FRG/MEXICO AGREEMENT FOR COOPERATION IN
SCIENCE AND TECHNOLOGY (S&T)

REF: A. STATE 032374; B. BONN 02618

1. SUMMARY: AS REPORTED IN REF B, SUBJECT AGREEMENT
IS STANDARD FORMAT WITHOUT SPECIFIC PROJECTS WHICH
DRAFTED BY FRG ONE MONTH AGO AND PREPARED FOR
SIGNATURE AT LAST MINUTE PRIOR PRESIDENT ECHEVERRIA'S
VISIT. COPY OF FORMAL SIGNED TEXT NOT RPT NOT YET
AVAILABLE. FOLOWING IS INFORMAL SUMMARY TRANSLATION
OF PRINCIPAL POINTS AS GIVEN IN FINAL DRAFT
AGREEMENT. END SUMMARY

2. PREAMBLE NOTES DESIRE OF FRG AND MEXICO TO
STRENGTHEN EXISTING CLOSE AND FRIENDLY BILATERAL
RELATIONSHIPS, RECORDS THEIR JOINT INTEREST IN
PROMOTING SCIENTIFIC RESEARCH AND TECHNOLOGICAL
DEVELOPMENT AND RECOGNIZES THE MUTUAL BENEFITS
DERIVED FROM CLOSE COOPERATION.

3. ARTICLE I: CONTRACTING PARTIES WILL ENCOURAGE
S&T COOPERATION FOR PEACEFUL PURPOSES AND WORK OUT
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PROGRAM CONTAINING SPECIFIC GOALS AND PROJECTS OF

MUTUAL INTEREST.

4. ARTICLE II: (A) AREAS OF COOPERATION WILL BE DETERMINED IN INDIVIDUAL CASES. (B) AREAS OF COOPERATION AND RELEVANT CONSIDERATIONS WILL BE SUBJECT OF SPECIAL AGREEMENTS BETWEEN GOVERNMENTS OR, WITH AGREEMENT OF GOVERNMENTS, BETWEEN DESIGNATED ORGANIZATIONS.

5. ARTICLE III: (A) COOPERATION CAN INCLUDE EXCHANGE OF S&T INFORMATION, EXCHANGE AND TRAINING OF SCIENTISTS AND OTHER RESEARCH PERSONNEL, AND CONDUCT OF JOINT OR COORDINATED RESEARCH AND DEVELOPMENT TASKS. (B) CONTRACTING PARTIES WILL HELP EACH OTHER TO THE EXTENT POSSIBLE IN OBTAINING EXPERTS, MATERIALS, EQUIPMENT AND OTHER NEEDS.

6. ARTICLE IV: (A) A MIXED COMMISSION COMPOSED OF GOVERNMENTALLY-DESIGNATED MEMBERS WILL MEET EVERY TWO YEARS, ALTERNATELY IN FRG AND IN MEXICO. (B) THE MIXED COMMISSION WILL REVIEW ALL MATTERS RELATED TO CARRYING OUT THE AGREEMENT, ADVISE ON FUTURE WORK PROGRAMS, PERIODICALLY REVISE THE OVERALL PROGRAMS AND MAKE RECOMMENDATIONS TO THE GOVERNMENTS. IT CAN ALSO PROPOSE MEETINGS TO NEGOTIATE SPECIFIC PROJECTS.

7. ARTICLE V: (A) COST OF EXCHANGES OF PERSONNEL WILL BE BORNE BY SENDING STATE UNLESS OTHERWISE AGREED IN ACCORDANCE WITH ARTICLE II. (B) COSTS OF COOPERATION IN JOINT OR COORDINATED PROJECTS AND THE USE OF S&T FACILITIES WILL BE SUBJECT OF SPECIAL AGREEMENTS UNDER ARTICLE II.

8. ARTICLE VI: (A) EXCHANGE OF INFORMATION CAN TAKE PLACE BETWEEN CONTRACTING PARTIES THEMSELVES OR BETWEEN THE DESIGNATED ORGANIZATIONS. (B) CONTRACTING PARTIES MAY DISSEMINATE EXCHANGED INFORMATION TO PUBLIC ORGANIZATIONS, TO FACILITIES SUPPORTED BY PUBLIC FUNDS OR TO INSTITUTIONS AND FIRMS WHICH BENEFIT THE COMMUNITY. DISSEMINATION CAN BE RESTRICTED BY THE CONTRACTING PARTIES OR THEIR LIMITED OFFICIAL USE

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DESIGNEES BY SPECIAL AGREEMENTS UNDER ARTICLE II BEFORE OR DURING THE EXCHANGE OF INFORMATION. (C) UNLESS OTHERWISE AGREED, CONTRACTING PARTIES ASSUME NO RESPONSIBILITY FOR VALIDITY OF INFORMATION TRANSMITTED NOR FOR SUITABILITY OF EQUIPMENT SUPPLIED FOR PARTICULAR APPLICATION. (D) CONTRACTING PARTIES WILL ASSURE THAT THOSE RECEIVING INFORMATION UNDER THIS AGREEMENT OR SPECIAL AGREEMENTS CONCLUDED UNDER

ARTICLE II WILL NOT FURTHER DISSEMINATE INFORMATION
TO ORGANIZATIONS OR PERSONS NOT AUTHORIZED TO
RECEIVE IT. (E) AGREEMENT IS NOT VALID FOR SECRET
INFORMATION, FOR INFORMATION ORIGINATING FROM THIRD

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PARTIES WHICH RESTRICTED FURTHER DISSEMINATION AND
FOR INFORMATION WHICH MAY NOT BE FURTHER DISSEMINATED
BY AGREEMENT WITH ANOTHER GOVERNMENT. (F) COMMUNICA-
TION OF INFORMATION OF COMMERCIAL VALUE WILL BE
GOVERNED BY SPECIAL AGREEMENTS. (G) THIS ARTICLE
WILL BE APPLIED IN ACCORDANCE WITH THE LAWS AND
REGULATIONS OF EACH CONTRACTING PARTY.

9. ARTICLE VII: (A) BOTH PARTIES AGREE TO HOLD
HARMLESS SCIENTISTS OF OTHER UNLESS GROSS NEGLIGENCE
OR DELIBERATE MISBEHAVIOR EXISTS. (B) OTHER ASPECTS
OF LIABILITY AND INSURANCE WILL BE COVERED BY
SPECIAL AGREEMENTS UNDER ARTICLE II.

10. ARTICLE VIII: (A) MATERIALS ARE TRANSFERRED
CUSTOMS AND DUTY FREE UNDER SPECIAL AGREEMENTS.

(B) PERSONNEL EXCHANGED UNDER SPECIAL AGREEMENT OF
ARTICLE II CAN IMPORT AND EXPORT GOODS FOR OWN USE
INCLUDING ONE AUTOMOBILE PER HOUSEHOLD.

11. ARTICLE IX: OFFICIAL ORGANS OF CONTRACTING
PARTIES WILL SUPPORT WORK OF EXCHANGED PERSONNEL.
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12. ARTICLE X: DISPUTES WILL BE SETTLED BY
CONTRACTING PARTIES.

13. ARTICLE XI: STANDARD BERLIN CLAUSE.

14. ARTICLE XII: (A) ENTERS INTO FORCE WHEN MEXICO
INFORMS FRG THAT ITS DOMESTIC PROCEDURES HAVE BEEN
COMPLETED. (B) VALID FOR FIVE YEARS; EXTENDED ONE
YEAR UNLESS ONE PARTY GIVES SIX MONTHS NOTICE.
SPECIAL AGREEMENTS UNDER ARTICLE II CONTINUE VALID.

15. EMBASSY COMMENT: EMBASSY WILL POUCH COPY OF
FORMAL TEXT AS SIGNED WHEN IT BECOMES AVAILABLE.
REPORTEDLY FRG PROPOSED TEXT ONE MONTH AGO AND
RECEIVED NO RESPONSE UNTIL JUST BEFORE PRESIDENT
ECHEVERRIA'S VISIT. TIME DID NOT RPT NOT PERMIT
NEGOTIATION OF TEXT WITH MORE SUBSTANCE.
HILLENBRAND

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